

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-11 are now pending in this application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

**Claim Amendments**

Claim 1 has been amended to clarify the present invention. No new matter has been added by this amendment, as support may be found, for example, in the Figures of the present application. Claims 4 and 7-11 have been amended to correct typographical errors.

**Claim Objections**

The Examiner has objected to claims 4 and 9-11 due to informalities. Claims 4 and 9-11 have been amended to correct the informalities. Accordingly, withdrawal of this objection is respectfully requested.

**Rejection(s) under 35 U.S.C. §112**

Claims 1-11 stand rejected under 35 U.S.C. §112 as being indefinite due to the term "lad" in claim 1. The term has been corrected, and Applicant submits that claims 1-11 are no longer indefinite. Accordingly, withdrawal of this rejection is respectfully requested.

**Rejection(s) under 35 U.S.C. §102**

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japan Patent No. JP-S61-20873 (hereinafter “JP ‘873”). Claim 1 has been amended in this reply. To the extent this rejection still applies to amended claim 1 and claims 2-3, the rejection is respectfully traversed.

In one or more embodiments, the present invention is directed to a fastening device including a support member secured to one surface, a base member secured to another surface, an operating lever turnably connected to the base member and linked to the support member by a pair of arms, and a lock mechanism. Independent claim 1 requires, in part, an operating lever turnably connected to a base member through a first shaft, and a lock mechanism including (i) a lock claw permanently mounted on the base member, (ii) a lock pin permanently mounted on the operating lever and laid between opposite side walls of the operating lever, and (iii) a pin biasing member permanently received in the operating lever.

JP ‘873 is directed to a fastening device with some structural elements similar to embodiments of the present invention. The fastening device of JP ‘873 includes a support member secured to one surface, a base member secured to another surface, an operating lever turnably connected to the base member and linked to the support member by a pair of arms, and a lock mechanism. However, JP ‘873 fails to show or suggest some of the limitations recited in claim 1. A description of the device of JP ‘873 can be found in the background of the present application.

Specifically, JP ‘873 fails to show or suggest at least (i) a lock claw permanently mounted on the base member. In contrast to the present invention, a cutout is formed at one side wall of the operating lever, and one part of the peripheral edge of this cutout is provided as a lock claw. Thus, rather than being permanently mounted in the base member, the lock claw of

JP '873 moves away from the base member with the operating lever when the operating lever is removed from the base member.

Furthermore, JP '873 fails to show or suggest at least (ii) a lock pin permanently mounted on the operating lever and laid between opposite side walls of the operating lever. In contrast to the present invention, two support elements are cut and raised on the base metal piece, and the lock pin is laid between the two support elements. The two support elements are permanently mounted on the base member. Thus, when the operating lever is moved away from the base member, the lock pin remains disposed in the support elements and not on the operating lever or laid between opposite side walls of the operating lever.

Additionally, JP '873 fails to show or suggest at least (iii) a pin biasing member permanently received in the operating lever. In contrast to the present invention, a hook pin is secured to the base member and a pin biasing member is hooked between the hook pin and the lock pin, which is indirectly secured to the base member. Thus, the pin biasing member is permanently mounted near the base member. Thus, when the operating lever is moved away from the base member, the pin biasing member remains received in the base member and not the operating lever.

By having structural elements arranged in the configuration recited in claim 1, one or more embodiments of the present invention may provide advantages over the prior art. For example, in the prior art, the biasing member is disposed on the base member where it may be damaged by a user's hand. In one or more embodiments of the present invention, the operating lever may better protect the pin biasing member from damage. Furthermore, in one or more embodiments of the present invention, operating the fastening device may be easier than devices of the prior art, and further may only require the use of one hand.

In view of the above, JP '873 does not show or suggest all the limitations recited in independent claim 1. Thus, claim 1 is patentable over JP '873. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejection(s) under 35 U.S.C. §103**

Claims 4-11 stand rejected under 35 U.S.C. §103(a) as being obvious over JP '873 in view of U.S. Patent No. 2,994,934 (hereinafter "Kraus"). Claims 4-11 are dependent on claim 1, and claim 1 has been amended. To the extent this rejection still applies to claims 4-11, the rejection is respectfully traversed.

Applicant respectfully asserts that the cited references do not teach or suggest all the claimed limitations of amended claim 1. Kraus is directed to quick couplings for securing straps. More specifically, Kraus is directed to coupling assemblies which may adjustably draw together the meeting ends of straps, including an operating lever mounted on an end of one strap and a lock claw mounted on the end of the other strap. As discussed above, JP '873 fails to disclose, at least, (i) a lock claw permanently mounted on the base member, (ii) a lock pin permanently mounted on the operating lever and laid between opposite side walls of the operating lever, and (iii) a pin biasing member permanently received in the operating lever, wherein the operating lever is turnably connected to the base member through a first shaft. Kraus lacks that which JP '873 fails to teach. JP '873 and Kraus have significant structural differences that make it difficult to find analogous elements and to compare the locations and structures of analogous elements. Further, it is clear from the claims that the mounting locations of structural elements are very important. According to claim 1, the lock claw must be permanently mounted on the base member, and thus, the operating lever of Kraus is mounted on one strap and the base

member is mounted on the other strap. Consequently, the straps may be separated by great distances at any time (*see* Kraus, Figure 1). Thus, one skilled in the art can see that the operating lever is *not* turnably connected to the base member through a first shaft, as required by claim 1.

Furthermore, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine JP '873 with Kraus. Kraus is directed to quick couplings for *securing straps*. JP '873 is directed to fastening two bodies together, and each of the figures shown in JP '873 show the fastening of the top of a case to the body of a case. Because JP '873 is directed to generally fastening two bodies together and Kraus is *only* directed to securing straps, significant structural differences are apparent in the two disclosures (*e.g.*, the separation of the base member and the operating lever). Applicant respectfully submits that one would not be motivated to take selected teachings from Kraus and apply them to JP '873. More specifically, one would not have been motivated to take the operating lever of Kraus and apply it to the fastening device of JP '873 due to the significant structural differences between the devices of the two disclosures. In fact, picking and choosing specific elements of Kraus and applying them to JP '873 constitutes improper hindsight reconstruction, which cannot form the basis of a proper rejection under 35 U.S.C. §103(a). One skilled in the art would not have been motivated to combine the teachings of Kraus with the teachings of JP '873 without the benefit of Applicant's claims as a guide.

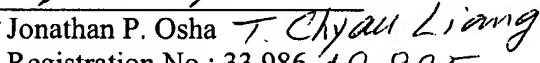
In view of the above, JP '873 and Kraus, whether considered separately or in combination, do not teach or suggest all the limitations recited in claim 1. Thus, claim 1 is patentable over JP '873 and Kraus. Furthermore, dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 12088/032001)

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Respectfully submitted,

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